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*H JFW*

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,598	04/02/2004	Wataru Abe	9333/373

00757  
BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610

CONFIRMATION NO. 3130  
FORMALITIES LETTER



\*OC000000013640886\*

Date Mailed: 08/26/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

09/28/2004 MBIZUNES 00000063 10817598 A copy of this notice **MUST** be returned with the reply.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: September 24, 2004 Name: David H. Bluestone, Reg. No. 44,542 Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Wataru Abe

Appln. No.: 10/817,598

Filed: April 2, 2004

For: MAGNETIC DISK DEVICE AND  
ELECTRONIC APPARATUS FOR  
MOUNTING THE MAGNETIC DISK  
DEVICE THERETO

Attorney Docket No: 9333/373

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Examiner: To Be Assigned

Art Unit: 2651

## TRANSMITTAL

Sir:

## Attached is/are:

- A Transmittal (in duplicate); Response to Notice to File Missing Parts (in duplicate); Notice to File Missing Parts; Declaration and Power of Attorney for Patent Application; Recordal of Assignment; Assignment; Check for \$130; and Check for \$40.
- Return Receipt Postcard

## Fee calculation:

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)
- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$	Total	\$	

## Fee payment:

- Checks in the amount of \$130 and \$40 are enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

David H. Bluestone (Reg. No. 44,542)

112412004

Date



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

on September 24, 2004

Date of Deposit

David H. Bluestone, Reg. No. 44,542

Name of applicant, assignee or  
Registered Representative

Signature

~124/14

Date of Signature

Case No. 9333/373

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Wataru Abe

Serial No.: 10/817,598

Attention: Manager,  
Application Branch

Filed: April 2, 2004

For: MAGNETIC DISK DEVICE  
AND ELECTRONIC  
APPARATUS FOR MOUNTING  
THE MAGNETIC DISK  
DEVICE THERETO

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated August 26, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration and Power of Attorney for Patent Application for the above-referenced patent application.
- Applicant:
  - claims small entity status. See 37 CFR1.27.
  - is other than small entity
- Checks totaling \$130 for:
  - Filing Fee of \$\_\_\_\_\_.
  - Surcharge of \$130.
  - Additional Claim Fees of \$\_\_\_\_\_.
- Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- Other: \_\_\_\_\_.
- The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: September 24, 2004

  
\_\_\_\_\_  
David H. Bluestone  
Registration No. 44,542  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
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